

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

IN RE: James Matthew Franklin and
Christina Lynn Davis,
Debtors.

Case No. 24-21173-gmh
Chapter 7

**NOTICE OF MOTION FOR ORDER DISMISSING CASE, AND
MOTION FOR ORDER DISMISSING CASE**

Bruce A. Lanser, trustee in this case, has filed a Motion for Dismissal of this case on the grounds that the Debtors failed to appear as required by law at the Meeting of Creditors held pursuant to §341 of the Bankruptcy Code.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in the bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the trustee's motion to dismiss this case, or if you want the court to consider your views on the motion, then on or before May 03, 2024 , you or your attorney must:

1. File with the court a written objection to the dismissal and a request for a hearing at:

Clerk, U. S. Bankruptcy Court
Room 126, Federal Courthouse
517 E. Wisconsin Avenue
Milwaukee, WI 53202

2. If you mail your objection to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above.
3. You must also mail a copy to:

Office of the U. S. Trustee
517 East Wisconsin Ave
Room 430
Milwaukee, WI 53202

Bruce A. Lanser
Bruce A. Lanser, Trustee
P.O. Box 418
Hartland, WI 53029

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting dismissal of your case.

Bruce A. Lanser, trustee of this case, moves the Court for an order dismissing this case on the grounds that the Debtors failed to appear as required by law at the Meeting of Creditors held pursuant to §341 of the Bankruptcy Code and alleges as follows:

1. The Trustee was appointed by the Office of the United States Trustee as interim trustee for the above-captioned case.
2. A meeting of creditors was scheduled pursuant to the provisions of §341 of the Bankruptcy Code.
3. The Debtors failed to appear at the §341 meeting without just cause.
4. Failure of the Debtors to appear and submit to examination by the trustee has resulted in unreasonable delay by the Debtors that is prejudicial to creditors and constitutes lawful cause for dismissal of this case pursuant to the provisions of §707(a) of the Bankruptcy Code.

WHEREFORE, the trustee requests that the Court enter an order dismissing this case. The trustee does not intend to file a brief in connection with this motion but reserves the right to file a responsive brief if necessary.

Dated: April 11, 2024

Bruce A. Lanser, Trustee
Bruce A. Lanser, Trustee
P.O. Box 418
Hartland, WI 53029
262-361-0003

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